

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: MATSUYAMA2

In re Application of:  
MATSUYAMA et al.  
U.S. Appln. No.: 10/576,978  
IA No.: PCT/JP04/15594  
IA Filed: October 21, 2008  
For: NOVEL PROTEIN HIGHLY...

) Confirmation No.: 8121  
) Application Division  
) ATTN: PCT  
) Washington, D.C.  
)  
) November 12, 2008

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop Missing Parts  
401 Dulany Street  
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated October 3, 2008. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.  
[XX] Translation of application, including drawings.  
[XX] Preliminary Amendment and Submission of Sequence Listing CRF  
[XX] Additional fees as calculated below:

[X] Search fee		\$430.00
[X] Examination fee		\$220.00
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X <b>\$270.00</b>	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
23- 20 =	3	X <b>\$ 52.00</b>
2- 3 =	0	X <b>\$220.00</b>
Multiple Dependent Claims (if applicable)		+ <b>\$390.00</b>
<b>TOTAL OF ABOVE CALCULATIONS</b>		\$936.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$>
<b>SUBTOTAL</b>		\$936.00
Processing fee of <b>\$130.00</b> for late furnishing of the English translation.		\$130.00
<b>TOTAL NATIONAL FEE</b>		\$1,066.00

- [ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[ ] First	-	\$ 65.00
[ ] Second	-	\$ 245.00
[ ] Third	-	\$ 555.00
[ ] Fourth	-	\$ 865.00
[ ] Fifth	-	\$1175.00

month after time period set

Other Than Small Entity

Response Filed Within

[ ] First	-	\$ 130.00
[ ] Second	-	\$ 490.00
[ ] Third	-	\$1,110.00
[ ] Fourth	-	\$1,730.00
[ ] Fifth	-	\$2,350.00

month after time period set

- [XX] Conditional Petition for Extension of Time: If any extension of time for a response is required, applicant requests that this be considered a petition therefor.  
[XX] Electronic payment in the amount of \$ 1,066.00 is being made by credit card to cover the required fees.  
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By: /rlb/  
Roger L. Browdy  
**Registration No. 25,618**

: